

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature - Second Regular Session

MAJORITY CAUCUS CALENDAR

February 2, 2016

| Bill Number | Short Title | Committee | Date | Action |
|-------------|-------------|-----------|------|--------|
|-------------|-------------|-----------|------|--------|

Committee on Appropriations

Chairman: Justin Olson, LD25

Analyst: Jennifer Thomsen

Vice Chairman: Vince Leach, LD11

Intern: Brett Galley

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|--------------------------------|---|--|------|----|--------------|
| <u>HB 2111</u> | zero-based budgeting | | | | |
| SPONSOR: | PETERSEN, LD12 | HOUSE | | | |
| | | APPROP | 1/27 | DP | (9-5-0-0-0) |
| | | (No: FERNANDEZ, MEYER, ALSTON, CARDENAS, MACH) | | | |
| <u>HB 2468</u> | internet crimes against children; appropriation | | | | |
| SPONSOR: | BOYER, LD20 | HOUSE | | | |
| | | APPROP | 1/27 | DP | (14-0-0-0-0) |

Committee on Children and Family Affairs

Chairman: John M. Allen, LD15

Analyst: Ingrid Garvey

Vice Chairman: Kate Brophy McGee, LD28

Intern: Alexandra Erickson

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|--------------------------------|---|---------------------|------|----|-------------|
| <u>HB 2059</u> | DCS information; governor access | | | | |
| SPONSOR: | TOWNSEND, LD16 | HOUSE | | | |
| | | CFA | 1/25 | DP | (8-0-0-1-0) |
| | | (Abs: BROPHY MCGEE) | | | |
| <u>HB 2099</u> | developmental disabilities; terminology; settings | | | | |
| SPONSOR: | ALLEN J, LD15 | HOUSE | | | |
| | | CFA | 1/25 | DP | (8-0-0-1-0) |
| | | (Abs: BROPHY MCGEE) | | | |
| <u>HB 2236</u> | DCS; conforming and technical changes | | | | |
| SPONSOR: | WENINGER, LD17 | HOUSE | | | |
| | | CFA | 1/25 | DP | (8-0-0-1-0) |
| | | (Abs: BROPHY MCGEE) | | | |
| <u>HB 2260</u> | foster care review board; continuation | | | | |
| SPONSOR: | BROPHY MCGEE, LD28 | HOUSE | | | |
| | | CFA | 1/25 | DP | (8-0-0-1-0) |
| | | (Abs: BROPHY MCGEE) | | | |
| <u>HB 2270</u> | foster parent training | | | | |
| SPONSOR: | ALLEN J, LD15 | HOUSE | | | |
| | | CFA | 1/25 | DP | (8-0-0-1-0) |
| | | (Abs: BROPHY MCGEE) | | | |

Committee on County and Municipal Affairs

Chairman: Doug Coleman, LD16

Analyst: Amanda Barnes

Vice Chairman: Tony Rivero, LD21

Intern: Caitlynn Kestler

[HB 2021](#) codes; adoption by reference; copies
 SPONSOR: STEVENS, LD14 HOUSE
 CMA 1/25 DP (8-0-0-0-0)

Committee on Commerce

Chairman: Warren H. Petersen, LD12

Vice Chairman: Jill Norgaard, LD18

Analyst: Diana Clay

Intern: Kris Beecher

[HB 2035](#) cosmetology; omnibus
 SPONSOR: GOWAN, LD14 HOUSE
 COM 1/27 DP (8-0-0-0-0)

[HB 2130](#) municipalities; counties; energy use; reporting
 SPONSOR: PETERSEN, LD12 HOUSE
 COM 1/27 DPA (5-3-0-0-0)
 (No: ESPINOZA,MACH,PLUMLEE)

[HB 2131](#) municipalities; counties; auxiliary containers; prohibitions
 SPONSOR: PETERSEN, LD12 HOUSE
 COM 1/27 DPA (5-3-0-0-0)
 (No: ESPINOZA,MACH,PLUMLEE)

[HB 2132](#) lead acid battery sales; fees
 SPONSOR: PETERSEN, LD12 HOUSE
 COM 1/27 DPA (8-0-0-0-0)

[HB 2263](#) supervisory appraisers; duties
 SPONSOR: BROPHY MCGEE, LD28 HOUSE
 COM 1/27 DP (8-0-0-0-0)

[HB 2304](#) mobile home parks; tree maintenance
 SPONSOR: COLEMAN, LD16 HOUSE
 COM 1/27 DP (7-1-0-0-0)
 (No: PLUMLEE)

Committee on Education

Chairman: Paul Boyer, LD20

Vice Chairman: Jay Lawrence, LD23

Analyst: Aaron Wonders

Intern: Ellen Hill

[HB 2234](#) schools; audits; county school superintendent
 SPONSOR: BOYER, LD20 HOUSE
 ED 1/27 DP (7-0-0-1-0)
 (Abs: MONTENEGRO)

[HB 2245](#) schools; cellular telephone tower workers
 SPONSOR: BORRELLI, LD5 HOUSE
 ED 1/27 DP (7-0-0-1-0)
 (Abs: MONTENEGRO)

[HB 2294](#) charter schools; special education funding
 SPONSOR: BOYER, LD20 HOUSE
 ED 1/27 DP (7-0-0-1-0)
 (Abs: MONTENEGRO)

[HB 2352](#) teachers; human trafficking; continuing education
 SPONSOR: CARTER, LD15 HOUSE
 ED 1/27 DP (7-0-0-1-0)
 (Abs: MONTENEGRO)

[HB 2108](#) schools; CPR instruction
 SPONSOR: COLEMAN, LD16 HOUSE
 ED 1/20 DP (6-1-0-1-0)
 (No: NORGAARD; Abs: MONTENEGRO)

Committee on Elections**Chairman: Michelle B. Ugenti-Rita, LD23****Analyst: Sharon Carpenter****Vice Chairman: Javan D. "J.D." Mesnard, LD17****Intern: Taylor McGrew**

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|--------------------------------|---|-------|----|-------------|--|
| <u>HB 2017</u> | signs; early voting; removal | | | | |
| SPONSOR: | STEVENS, LD14 | HOUSE | | | |
| | ELECT | 1/28 | DP | (5-0-0-1-0) | |
| | (Abs: CARTER) | | | | |
| <u>HB 2023</u> | delivery; early ballots; limitation | | | | |
| SPONSOR: | UGENTI-RITA, LD23 | HOUSE | | | |
| | ELECT | 1/25 | DP | (4-2-0-1-0) | |
| | (No: CLARK,LARKIN; Abs: CARTER) | | | | |
| <u>HB 2049</u> | municipal, precinct office; online signatures | | | | |
| SPONSOR: | STEVENS, LD14 | HOUSE | | | |
| | ELECT | 1/28 | DP | (6-0-0-0-0) | |
| <u>HB 2084</u> | voter registration records; death records | | | | |
| SPONSOR: | STEVENS, LD14 | HOUSE | | | |
| | ELECT | 1/28 | DP | (6-0-0-0-0) | |
| <u>HB 2121</u> | clean elections; voter education | | | | |
| SPONSOR: | PETERSEN, LD12 | HOUSE | | | |
| | ELECT | 1/28 | DP | (6-0-0-0-0) | |
| <u>HB 2456</u> | national popular vote; interstate agreement | | | | |
| SPONSOR: | MESNARD, LD17 | HOUSE | | | |
| | ELECT | 2/1 | DP | (5-1-0-0-0) | |
| | (No: UGENTI-RITA) | | | | |

Committee on Government and Higher Education**Chairman: Bob Thorpe, LD6****Analyst: Sharon Carpenter****Vice Chairman: J. Christopher Ackerley, LD2****Intern: Taylor McGrew**

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|--------------------------------|---|-------|-----|-------------|--|
| <u>HB 2104</u> | ASRS; retention of credited service | | | | |
| SPONSOR: | LOVAS, LD22 | HOUSE | | | |
| | GHE | 1/21 | DP | (8-0-0-1-0) | |
| | (Abs: TOWNSEND) | | | | |
| <u>HB 2447</u> | business entities; database; posting; requirements | | | | |
| SPONSOR: | MONTENEGRO, LD13 | HOUSE | | | |
| | GHE | 1/28 | DP | (7-2-0-0-0) | |
| | (No: ALSTON,SALDATE) | | | | |
| <u>HB 2440</u> | municipal improvement districts; formation election | | | | |
| SPONSOR: | PETERSEN, LD12 | HOUSE | | | |
| | GHE | 1/28 | DP | (5-3-0-1-0) | |
| | (No: ALSTON,SALDATE,LARKIN; Abs: OLSON) | | | | |
| <u>HB 2443</u> | metal dealer licensure; local authority | | | | |
| SPONSOR: | LIVINGSTON, LD22 | HOUSE | | | |
| | GHE | 1/28 | DPA | (7-0-0-2-0) | |
| | (Abs: LOVAS,LARKIN) | | | | |
| <u>HB 2444</u> | auxiliary containers; scrap metal dealers | | | | |
| SPONSOR: | LIVINGSTON, LD22 | HOUSE | | | |
| | GHE | 1/28 | DP | (8-0-0-1-0) | |
| | (Abs: LOVAS) | | | | |

Committee on Health**Chairman: Heather Carter, LD15****Analyst: Ingrid Garvey****Vice Chairman: Regina Cobb, LD5****Intern: Alexandra Erickson**

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|---------------------------------|--|--------------------|------|-----|-------------|
| <u>HB 2265</u> | epinephrine auto-injectors | | | | |
| SPONSOR: | COBB, LD5 | HOUSE | | | |
| | | HEALTH | 1/26 | DP | (6-0-0-0-0) |
| <u>HB 2310</u> | biological products; prescription orders | | | | |
| SPONSOR: | COBB, LD5 | HOUSE | | | |
| | | HEALTH | 1/26 | DP | (5-0-0-1-0) |
| | | (Abs: BOYER) | | | |
| <u>HB 2355</u> | opioid antagonists; prescription; dispensing; administration | | | | |
| SPONSOR: | CARTER, LD15 | HOUSE | | | |
| | | HEALTH | 1/26 | DPA | (6-0-0-0-0) |
| <u>HCM 2001</u> | health insurance tax; repeal | | | | |
| SPONSOR: | LEACH, LD11 | HOUSE | | | |
| | | HEALTH | 1/26 | DP | (4-2-0-0-0) |
| | | (No: MEYER,FRIESE) | | | |

Committee on Insurance

Chairman: Karen Fann, LD1
Analyst: Paul Benny

Vice Chairman: David Livingston, LD22
Intern: Jon Rudolph

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|--------------------------------|--|-------------------------|------|----|-------------|
| <u>HB 2144</u> | genetic testing; informed consent | | | | |
| SPONSOR: | COLEMAN, LD16 | HOUSE | | | |
| | | INS | 1/27 | DP | (7-0-0-1-0) |
| | | (Abs: LARKIN) | | | |
| <u>HB 2238</u> | insurance; identity theft group policies | | | | |
| SPONSOR: | FANN, LD1 | HOUSE | | | |
| | | INS | 1/27 | DP | (7-0-1-0-0) |
| | | (Present: MCCUNE DAVIS) | | | |

Committee on Judiciary

Chairman: Eddie Farnsworth, LD12
Analyst: Katy Proctor

Vice Chairman: Sonny Borrelli, LD5
Intern: Meagan Anglin

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|--------------------------------|---|----------------|------|-----|-------------|
| <u>HB 2015</u> | publicity pamphlets; counties; municipalities | | | | |
| SPONSOR: | STEVENS, LD14 | HOUSE | | | |
| | | JUD | 1/27 | DPA | (5-0-0-1-0) |
| | | (Abs: MESNARD) | | | |
| <u>HB 2031</u> | liquor purchases; other state identification | | | | |
| SPONSOR: | BORRELLI, LD5 | HOUSE | | | |
| | | JUD | 1/27 | DP | (6-0-0-0-0) |

Committee on Military Affairs and Public Safety

Chairman: Sonny Borrelli, LD5
Analyst: Rick Hazelton

Vice Chairman: Mark Finchem, LD11
Intern: Thomas Lane

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|--------------------------------|---|-------|------|----|-------------|
| <u>HB 2033</u> | post-9/11 veteran education relief fund | | | | |
| SPONSOR: | BORRELLI, LD5 | HOUSE | | | |
| | | MAPS | 1/21 | DP | (9-0-0-0-0) |
| <u>HB 2045</u> | DHS; primitive camping areas; rules | | | | |
| SPONSOR: | FINCHEM, LD11 | HOUSE | | | |
| | | MAPS | 1/21 | DP | (9-0-0-0-0) |
| <u>HB 2165</u> | peace officer memorial board; members | | | | |
| SPONSOR: | BORRELLI, LD5 | HOUSE | | | |
| | | MAPS | 1/21 | DP | (9-0-0-0-0) |

Committee on Transportation and Infrastructure**Chairman: Rick Gray, LD21****Vice Chairman: David W. Stevens, LD14****Analyst: Amanda Barnes****Intern: Caitlynn Kestler**[HB 2249](#)

ADOT; authorized third parties

SPONSOR: GRAY, LD21

HOUSE

TI

1/26

DP

(8-0-0-1-0)

(Abs: BORRELLI)

Committee on Ways and Means**Chairman: Darin Mitchell, LD13****Vice Chairman: Anthony Kern, LD20****Analyst: Michael Madden****Intern: Kaitlyn Yanes**[HB 2127](#)

small property tax balance delinquency.

SPONSOR: MESNARD, LD17

HOUSE

WM

1/25

DP

(9-0-0-0-0)

[HB 2187](#)

municipal codes; publication; online

SPONSOR: MITCHELL, LD13

HOUSE

WM

1/25

DP

(9-0-0-0-0)



HOUSE OF REPRESENTATIVES

HB 2111

zero-based budgeting

Prime Sponsor: Representative Petersen, LD 12

DP Committee on Appropriations

X Caucus and COW

House Engrossed

OVERVIEW

HB 2111 incorporates zero-based budgeting into the state budgeting process for the Joint Legislative Budget Committee (JLBC), the Governor, budget units and other officials.

PROVISIONS

1. Directs JLBC to select budget units that must submit a zero-based budget for the second fiscal year after the current calendar year.
 - a) Requires JLBC to select the budget units by January 15.
 - b) Requires budget units to submit a zero-based budget at least once every ten years.
2. Instructs the Governor to include zero-based budgets when preparing necessary documents for budget units, respective administrative heads and state officials.
3. Requires budget unit estimates containing a zero-based budget to include a detailed explanation of the forecast and assumptions used to obtain the projections.
4. Defines *zero-based budget*.
5. Makes technical and conforming changes.
6. Becomes effective January 1, 2017.

CURRENT LAW

Budget units must submit five copies of their budget estimates that contain appropriated and nonappropriated monies on forms prescribed by the Governor. By June 1 the Governor must give the administrative head of each budget unit at least three sets of these prescribed forms. Every two years, or as required by the Governor, biennial budget units must submit estimates for the next two fiscal years. Annual budget units must submit estimates for the next fiscal year. The Governor must also formulate instructions to guide officials in preparing budget estimates and requests ([A.R.S § 35-112](#), [A.R.S § 35-113](#)).



HOUSE OF REPRESENTATIVES

HB 2468

internet crimes against children; appropriation

Prime Sponsor: Representative Boyer, LD 20

DP Committee on Appropriations

X Caucus and COW

House Engrossed

OVERVIEW

HB 2468 is an emergency measure that appropriates \$1.8 million from the Internet Crimes Against Children (ICAC) Enforcement Fund to the Attorney General (AG) in Fiscal Year (FY) 2016.

PROVISIONS

1. Appropriates \$1.8 million from the ICAC Enforcement Fund to the AG in FY 2016 for the purpose of entering into one or more intergovernmental agreements to continue the operation of the federally recognized ICAC Task Force Program.
2. Exempts the appropriation from lapsing.
3. Contains an emergency clause.

CURRENT LAW

The ICAC Enforcement Fund receives \$900,000 annually from the proceeds of lottery games that are sold from vending machines in age-restricted areas ([A.R.S. § 5-554](#)). If proceeds do not provide sufficient funds for the \$900,000, unclaimed lottery prize money is used to backfill the difference ([A.R.S. § 5-568](#)).

Monies in the ICAC Enforcement Fund are used to allow the AG to enter into one or more intergovernmental agreements to continue the operation of the federally recognized ICAC Task Force Program, which coordinates investigations, forensic examinations and prosecutions related to technology-facilitated sexual exploitation of children and internet crimes against children. ICAC Enforcement Fund monies are subject to legislative appropriation ([A.R.S. § 41-199](#)).

ADDITIONAL INFORMATION

[Laws 2015, Chapter 245](#) established the ICAC Enforcement Fund. Chapter 245 became effective immediately because there was an emergency clause included in the enacted legislation. As a result, deposits to the ICAC Enforcement Fund began in FY 2015; however, no monies were appropriated in FY 2015 or FY 2016. The ICAC Enforcement Fund is expected to have a balance of \$1.8 million by the end of FY 2016 (Please see the Joint Legislative Budget Committee [FY 2017 Baseline Book](#) for more information).



HOUSE OF REPRESENTATIVES

HB 2059

DCS information; governor access

Prime Sponsor: Representative Townsend, et al., LD 16

DP Committee on Child and Family Affairs

X Caucus and COW

House Engrossed

OVERVIEW

HB 2059 authorizes the Arizona Department of Child Safety (DCS) to share information with the Governor if it is necessary to perform official duties.

PROVISIONS

1. Requires DCS to release information to the Governor if it is necessary to perform official duties.

CURRENT LAW

A.R.S § 8-807(I) states that DCS must provide access to information to the following persons if the information is necessary to perform official duties: federal or state auditors; persons conducting accreditation deemed necessary by DCS; a standing committee of the legislature or a committee appointed by the President of the Senate or the Speaker of the House of Representatives; a legislator who requests DCS information in the regular course of their duties; a citizen review panel; a child fatality review team; a human rights committee on persons with developmental disabilities; and the Office of Ombudsman-Citizen Aide.



HOUSE OF REPRESENTATIVES

HB 2099

developmental disabilities; terminology; settings

Prime Sponsor: Representative Allen J, LD 15

DP Committee on Child and Family Affairs

X Caucus and COW

House Engrossed

OVERVIEW

HB 2099 makes adjustments to the statutes for a person with a developmental disability.

PROVISIONS

1. Changes the chapter heading for Title 36, Chapter 5.1 from the *State Department for Developmental Disabilities* to *Developmental Disabilities*.
2. Removes the requirement to reduce the clientele at the Arizona training program facility and includes the necessary technical corrections.
3. Repeals A.R.S. § 36-595.03 (secure facilities; annual review; definition).
4. Modifies the definitions of *child development foster home*, *community residential setting* and *group home*.
5. Makes technical and conforming changes.

CURRENT LAW

Contained within Title 36, Chapter 5.1 is the laws which pertain to a person with a developmental disability. Outlined are the statutes related to administration and regulation, licensing and monitoring of community residential settings, the third party liability program and family support for individuals with a developmental disability.



HOUSE OF REPRESENTATIVES

HB 2236

DCS; conforming and technical changes

Prime Sponsor: Representative Weninger, LD 17

DP Committee on Children and Family Affairs

X Caucus and COW

House Engrossed

OVERVIEW

HB 2236 makes technical and conforming changes due to the establishment of the Department of Child Safety (DCS) in 2014.

PROVISIONS

1. Makes technical and conforming changes.

ADDITIONAL INFORMATION

Law 2014, Chapter 1, Second Special Session created DCS with the primary purpose to protect children.



HOUSE OF REPRESENTATIVES

HB 2260

foster care review board; continuation

Prime Sponsor: Representative Brophy McGee, et al., LD 28

DP Committee on Children & Family Affairs

X Caucus and COW

House Engrossed

OVERVIEW

HB 2260 continues the State Foster Care Review Board (State Board) for eight years.

PROVISIONS

1. Continues the State Board for eight years.
2. Contains a legislative intent clause.
3. Applies retroactively to July 1, 2016.

CURRENT LAW

Laws 1978, Chapter 102, § 3, established the State Foster Care Review Board to review and coordinate the activities of the local foster care review boards (local boards) and establish training programs for local foster care review board members (A.R.S. § 8-515.04). The State Board is comprised of seven persons appointed by the Arizona Supreme Court and members of local boards appointed by presiding juvenile court judges. Counties with more than one local board are only required to assign one member to the state board for every three local boards within the county.

ADDITIONAL INFORMATION

In December 2015, the Senate Health and Human Services and the House Children and Family Affairs Committee of Reference conducted the Sunset Review of the State Board. The Committee of Reference recommended that the State Board be continued for eight years.



HOUSE OF REPRESENTATIVES

HB 2270

foster parent training

Prime Sponsor: Representative Allen J, LD 15

DP Committee on Children and Family Affairs

X Caucus and COW

House Engrossed

OVERVIEW

HB 2270 modifies the timeframe in which a foster parent must complete required training for a license renewal.

PROVISIONS

1. Modifies the foster parent training requirements for a license renewal from six hours per year to 12 hours over the two year period of licensure.
2. Makes technical changes.

CURRENT LAW

A.R.S § 8-509 states that in order to be licensed, a licensee must provide proof of completion of six hours of foster parent training per year and each foster parent and adult member of the house must have a valid fingerprint clearance card. The Department must not renew a license without satisfactory proof that the foster parent or parents have completed six actual hours of approved ongoing foster training per year. If the Department determines that completion of training for an initial license or a renewal license would be a hardship to the foster parents, the Department may issue a provisional license that cannot be renewed.



HOUSE OF REPRESENTATIVES

HB 2021

codes; adoption by reference; copies

Prime Sponsor: Representative Stevens, LD 14

DP Committee on County and Municipal Affairs

X Caucus and COW

House Engrossed

OVERVIEW

HB 2021 gives counties the option to file one paper copy and one electronic copy of their codes with the clerk of the board of supervisors or the county planning and zoning department in lieu of filing three paper copies.

PROVISIONS

1. Gives counties the option to file three paper copies or one paper copy and one electronic copy with the clerk of the board of supervisors or the county planning and zoning department.
2. Makes technical changes.

CURRENT LAW

Currently, A.R.S. § 11-864 allows counties to enact the provisions of a code before its existence without setting forth the provisions, but requires that the adopting ordinance be published in full. Statute requires counties to file at least three copies of their codes with the clerk of the board of supervisors. These files must be kept available for public use and inspection.

Laws 2015, Chapter 193 allows municipalities to file at least three copies or one paper copy and one electronic copy of their codes and public records in the office of the municipality's clerk. They must be kept available for public use and inspection.



HOUSE OF REPRESENTATIVES

HB 2035

cosmetology; omnibus

Prime Sponsor: Representative Gowan, LD 14

DP Committee on Commerce

X Caucus and COW

House Engrossed

OVERVIEW

HB 2035 modifies the statutes that regulate the cosmetology profession.

PROVISIONS

1. Replaces the *educator* position on the Arizona State Board of Cosmetology (Board) with another *public member*.
2. Permits anyone 24 years of age or older to submit proof of age in order to qualify for cosmetology, nail technician or aesthetician licensure.
3. Authorizes an aesthetician or cosmetologist under the *indirect* rather than *direct* supervision of a health professional to perform laser or IPL device treatments if the person is certified.
4. Includes in the list of unlawful acts: teaching cosmetology, aesthetics or nail technology without the appropriate license.

CURRENT LAW

The Board licenses aestheticians, nail technicians, cosmetologists, instructors, salons and schools; establishes minimum standards for licensure and examination; adopts safety and sanitation rules and regulations; routinely inspects salons and schools to ascertain compliance with cosmetology laws; investigates and resolves complaints filed against licensees and takes appropriate disciplinary action to resolve violations.

A.R.S. § 32-502 outlines the appointment, qualifications and terms of office for the 7-member Board appointed by the Governor to 3-year terms. Membership includes: two cosmetologists; one nail technician; one instructor; one school owner; one educator without any connection to the industry or any involvement in related product manufacturing; and, one public member who has never been licensed or associated with the industry.

An applicant for licensure must submit proof of the following to the Board: a) complete two years' high school or its equivalent and be at least 16 years of age; b) complete pertinent school credits for the license; c) pass the examination; and, d) pay the prescribed fee.

ADDITIONAL INFORMATION

[Laws 2014, Chapter 238](#), adjusted the minimum age requirement to be eligible for Board licensure from 23 years to 16 years.



HOUSE OF REPRESENTATIVES

HB 2130

municipalities; counties; energy use; reporting
Prime Sponsor: Representative Petersen, LD 12

DPA Committee on Commerce

X Caucus and COW

House Engrossed

OVERVIEW

HB 2130 repeals and reinserts prohibitions on municipalities and counties requiring businesses to report their energy consumption.

PROVISIONS

1. Repeals statute enacted last session and reinserts it into a separate section of law that prohibits municipalities and counties from requiring business owners or tenants to report their energy use, including energy consumption benchmarking and energy efficiency audits.
2. Mirrors the current law, which states that measuring and reporting energy use and consumption is a matter of statewide concern, and therefore businesses are not subject to further regulation by municipalities or counties.
3. Restates the Legislature's finding that small businesses are sensitive to the costs and expenses incurred by regulations and inconsistency hinders their free and open competition.
4. Conditions the enactment of HB 2130 on passage of HB 2131, which is the companion bill relating to *auxiliary containers* regulation.

AMENDMENTS IN COMMERCE COMMITTEE

Inserts the bill number into the conditional enactment clause.

CURRENT LAW

[A.R.S. § 9-500.36](#) and [A.R.S. § 11-269.14](#) (enacted as [Laws 2015, Chapter 271](#)) prohibit municipalities and counties from requiring owners or tenants of businesses, commercial buildings or multifamily housing properties to measure and report their energy usage and consumption, including energy consumption benchmarking and energy efficiency audits.

ADDITIONAL INFORMATION

[Laws 2015, Chapter 271](#), prohibits municipalities and counties from adopting regulations relating to the measurement and reporting of energy use and consumption and the sale, use and disposition of *auxiliary containers*. It became effective July 3, 2015. In September, a complaint was filed [Kuby v. Arizona \(2015\)](#) in Maricopa County Superior Court by an individual alleging the legislation violates the title and single-subject provisions of the Arizona Constitution. [Article 4, Part 2 § 13 of the Arizona Constitution](#) states "every act shall embrace but one subject and matters properly connected therewith, which subject shall be expressed in the title; but if any subject shall be embraced in an act which shall not be expressed in the title, such act shall be void only as to so much thereof as shall not be embraced in the title." Additionally, the lawsuit alleges that the bill violates [Article 13, § 2 of the Arizona Constitution](#) because "it legislates over the local issues of energy benchmarking and the regulation of auxiliary containers, which fall under the control of charter cities" [Kuby v. Arizona \(2015\)](#).

HB 2130 and HB 2131 repeal and reinsert provisions related to energy use and the sale, use and disposition of auxiliary containers, respectively, into separate sections of law.



HOUSE OF REPRESENTATIVES

HB 2131

municipalities; counties; auxiliary containers; prohibitions
Prime Sponsor: Representative Petersen, LD 12

DPA Committee on Commerce

X Caucus and COW

House Engrossed

OVERVIEW

HB 2131 repeals and reinserts statutory language that prohibits municipalities and counties from regulating the sale, use or disposition of auxiliary containers.

PROVISIONS

1. Repeals and reinserts statute enacted last session that prohibits the regulation of auxiliary containers by municipalities and counties.
2. Creates a separate section of law relating to the regulation of auxiliary containers, which is a defined term.
3. Mirrors the current law, which states that the regulation of auxiliary containers is a matter of statewide concern, and therefore businesses are not subject to further regulation by municipalities or counties.
4. Reasserts the Legislature's finding that small businesses are sensitive to the costs and expenses incurred by regulations and this inconsistency hinders free and open competition.
5. Conditions the enactment of HB 2131 on passage of HB 2130, which is the companion bill relating to measuring and reporting energy consumption.

AMENDMENTS IN COMMERCE COMMITTEE

Inserts the bill number into the conditional enactment clause.

CURRENT LAW

[A.R.S. § 9-500.36](#) and [A.R.S. § 11-269.14](#) (enacted as [Laws 2015, Chapter 271](#)) prohibits municipalities and counties from regulating the sale, use or disposition of auxiliary containers by businesses. *Auxiliary containers* include: reusable and disposable bags; boxes; beverage cans; bottles; cups and containers made of cloth, plastic, polystyrene, glass, aluminum, cardboard or similar materials used to transport food. Municipalities and counties cannot impose any kind of tax, fee or return deposit on businesses.

ADDITIONAL INFORMATION

[Laws 2015, Chapter 271](#), prohibits municipalities and counties from adopting regulations relating to the measurement and reporting of energy use and consumption and the sale, use and disposition of *auxiliary containers*. It became effective July 3, 2015. In September, a complaint was filed [Kuby v. Arizona \(2015\)](#) in Maricopa County Superior Court by an individual alleging the legislation violates the title and single-subject provisions of the Arizona Constitution.

[Article 4, Part 2 § 13 of the Arizona Constitution](#) states “every act shall embrace but one subject and matters properly connected therewith, which subject shall be expressed in the title; but if any subject shall be embraced in an act which shall not be expressed in the title, such act shall be void only as to so much thereof as shall not be embraced in the title.” Additionally, the lawsuit alleges that the bill violates Article 13, § 2 of the Arizona

Constitution because “it legislates over the local issues of energy benchmarking and the regulation of auxiliary containers, which fall under the control of charter cities” [*Kuby v. Arizona \(2015\)*](#).

HB 2130 and HB 2131 repeal and reinsert provisions related to energy use and the sale, use and disposition of auxiliary containers, respectively, into separate sections of law.



HOUSE OF REPRESENTATIVES

HB 2132

lead acid battery sales; fees

Prime Sponsor: Representative Petersen, LD 12

DPA Committee on Commerce

X Caucus and COW

House Engrossed

OVERVIEW

HB 2132 limits the deposit fees charged by lead acid battery sellers to be equal to or less than what they are charged by wholesalers. Allows wholesalers to charge deposit fees to the state, local governments, and private entities that do not resell batteries.

PROVISIONS

1. Adjusts the fee a seller must charge from a maximum of \$15 to not more than the fee a seller is charged per battery by the wholesaler.
2. States that wholesalers selling lead acid batteries to the state, a political subdivision, or a private entity that does not resell batteries may charge a fee that is not more than what they charge to other sellers.
3. Makes technical and conforming changes.

AMENDMENTS BY COMMERCE COMMITTEE

1. Changes the word "fee" to "refundable deposit" or "deposit".
2. Removes language relating to the fee not being more than what a wholesaler charges.

CURRENT LAW

[A.R.S. § 44-1321](#) defines lead acid battery as a battery with a core of elemental lead and a capacity of six or more volts which is suitable for use in a vehicle or boat.

[A.R.S. § 44-1323](#) directs sellers of lead acid batteries to accept all used batteries and to charge a deposit fee of no more than \$15 on all new batteries sold. The fee will be fully refundable if a used battery with a receipt of the purchase of the new battery is presented to the seller within 45 days of the purchase. Sellers may keep any fees that are not properly claimed after 45 days.

Universal recycling symbols must be placed on all batteries sold after July 1, 1991. Written notices are required to be placed in the establishment selling batteries and within the promotional material selling batteries. Exemptions are given for persons whose ordinary course of business does not include selling batteries. Wholesalers that sell batteries to this state, to a political subdivision, or to private entities that do not resell the batteries are subject to this statute.

ADDITIONAL INFORMATION

[Laws 2010, Ch. 44, § 1](#), increased the fee a seller is allowed to charge from \$5 to a maximum of \$15 and extended the time allowed for the buyer to return the used battery for a full refund from 30 to 45 days.



HOUSE OF REPRESENTATIVES

HB 2263

supervisory appraisers; duties

Prime Sponsor: Representative Brophy McGee, LD 28

DP Committee on Commerce

X Caucus and COW

House Engrossed

OVERVIEW

HB 2263 excludes the requirement for a Supervisory Appraiser to personally inspect each property with a Registered Trainee Appraiser.

PROVISIONS

1. Removes from the definition of Supervisory Appraiser the description of supervisory duties that state they must personally inspect each appraised property with their registered trainee.

CURRENT LAW

[A.R.S. 32-3601](#) defines a Supervisory Appraiser as someone who is a state certified appraiser holding the supervisory appraiser designation and for the last three years has been in good standing in the jurisdiction that their trainee practices. This person must not have been disciplined in any jurisdiction in a way that affects their ability to engage in the appraisal practice. The Supervisory Appraiser supervises a trainee by reviewing, signing, and certifying all reports by the trainee, accepts the responsibility for the trainee's appraisal reports, and personally inspects each appraised property with their trainee.



HOUSE OF REPRESENTATIVES

HB 2304

mobile home parks; tree maintenance

Prime Sponsor: Representative Coleman, et al., LD 16

DP Committee on Commerce

X Caucus and COW

House Engrossed

OVERVIEW

HB 2304 establishes guidelines for tenants and landlords of mobile home parks regarding the maintenance of trees existing within a mobile home space.

PROVISIONS

1. Specifies that pre-existing trees within a tenant's mobile home space are part of the maintenance responsibility of the landlord, unless stated otherwise in a written rental agreement executed before January 1, 2017 or on the rental agreement's renewal date, whichever has a later date.
2. States that any rental agreement executed or adopted as of January 1, 2017 must disclose in writing any requirements of new mobile home space tenants to maintain one or more trees.
3. Requires any changes in a tenant's obligation to maintain any trees be subject to a substantial modification of the rental agreement.

CURRENT LAW

[A.R.S. § 33-1434](#) directs landlords to maintain their premises in a manner that abides by city, county, and state health and safety codes and make all repairs to keep the property in fit and habitable condition. Landlords are required to have common areas kept in clean and safe conditions and maintain these areas, such as swimming pools, bathhouses, and recreation halls, but does not directly address tree maintenance in mobile home parks.

Landlords are required to provide the removal of garbage, rubbish, and other waste pertaining to the use of the mobile home space and furnish water, power and sewer outlets. Prospective tenants are given information regarding the aspects of the outlets. Any interruptions in utilities are to be conspicuously posted, with exceptions made for emergencies. No restrictions on choice of a seller of fuel, furnishings, goods, services or mobile homes connected with the rental are implemented by the landlord.



HOUSE OF REPRESENTATIVES

HB 2234

schools; audits; county school superintendent
Prime Sponsor: Representative Boyer, LD 20

DP Committee on Education

X Caucus and COW

House Engrossed

OVERVIEW

HB 2234 requires school district audit reports to be sent to the county school superintendent.

PROVISIONS

1. Requires independent certified public accountants to submit a copy of school district audit reports to the county school superintendent of the county in which the school is located.
2. Makes a technical change.

CURRENT LAW

[A.R.S. § 15-914](#) requires school districts to contract with independent certified public accountants to generate school district audit reports and a Uniform System of Financial Record (USFR) compliance questionnaire. The audit reports that a school district is required to contract for depend on the size of the school district's budget as well as their need to comply with the Single Audit Act Amendments of 1996 and may include a financial and compliance audit or a financial statement audit. The school district audit reports and USFR compliance questionnaire must be submitted to the Auditor General by the independent certified public accountant.



HOUSE OF REPRESENTATIVES

HB 2245

schools; cellular telephone tower workers

Prime Sponsor: Representative Borrelli, et al., LD 5

DP Committee on Education

X Caucus and COW

House Engrossed

OVERVIEW

HB 2245 establishes procedures for a person to access a cellular tower located on school property.

PROVISIONS

1. Requires any person maintaining, inspecting or servicing a cellular tower located on an easement on public school property to sign in at the school's office and provide government-issued identification before accessing the cellular tower.
2. Permits the Attorney General or county attorney, at the request of the principal or head teacher, to assess up to a \$10,000 civil penalty to the person's employer for violations.
3. Requires the employer of the person in violation to pay the civil penalty.
4. Transfers all monies collected from civil penalties to the State Treasurer to be deposited in the state General Fund.

CURRENT LAW

Not currently addressed in statute.



HOUSE OF REPRESENTATIVES

HB 2294

charter schools; special education funding
Prime Sponsor: Representative Boyer, LD 20

DP Committee on Education

X Caucus and COW

House Engrossed

OVERVIEW

HB 2294 permits charter schools to apply for grants from the Extraordinary Special Education Needs Fund (Fund).

PROVISIONS

1. Allows charter schools to apply for grants from the Fund.
2. Makes conforming and technical changes.

CURRENT LAW

[A.R.S. § 15-774](#) establishes the Fund for school districts to apply for extraordinary special education needs grants. Grant applications are required to include the following:

- a. A demonstration of extraordinary needs, including a description and documentation of required student services and evidence that the school district is not able to absorb the costs of services.
- b. Evidence that grant monies will not supplant federal, local or other state efforts.
- c. Evidence that the school district has made sufficient efforts to seek the money to cover the extraordinary costs.

Grant monies are required to be used in the current year and any unspent monies at the end of the Fiscal Year must be returned to the Arizona Department of Education.



HOUSE OF REPRESENTATIVES

HB 2352

teachers; human trafficking; continuing education

Prime Sponsor: Representative Carter, LD 15

DP Committee on Education

X Caucus and COW

House Engrossed

OVERVIEW

Requires the Arizona State Board of Education (SBE) to adopt rules to allow human trafficking awareness and prevention training to count as continuing education credits.

PROVISIONS

1. Directs SBE to establish rules to allow human trafficking awareness and prevention training programs to count as continuing education credits for certificated teachers and administrators.

CURRENT LAW

Teachers and administrators are permitted to renew certification within six months of the certificate's expiration date or up to one year after expiration ([Arizona Administrative Code R7-2-619](#)). In order to complete the renewal, teachers and administrators must complete 180 clock hours of professional development. Any of the following activities may count towards professional development requirements:

- a. Courses taken from an accredited institution that relate to education or a subject taught in Arizona schools.
- b. Professional activities, including conferences or workshops related to teaching or education.
- c. District or school-sponsored in-services or activities designed for professional development.
- d. Internships in a business setting.
- e. Educational research.
- f. Serving in a leadership role of a professional organization that provides training or activities related to professional development.
- g. Serving on a visitation team for a school accreditation agency.
- h. Affirmatively completing certification by the National Board of Professional Teaching Standards.



HOUSE OF REPRESENTATIVES

HB 2108

schools; CPR instruction

Prime Sponsor: Representative Coleman, LD 16

DP Committee on Education
W/D Committee on Ways and Means
X Caucus and COW

House Engrossed

OVERVIEW

HB 2108 requires public schools to provide cardiopulmonary resuscitation (CPR) training to high school students by July 1, 2019.

PROVISIONS

1. Requires, rather than permits, public schools to provide one or more CPR training sessions to students in high school by July 1, 2019.
2. Removes the requirement for CPR training be based on the most current training developed by a nationally recognized nonprofit organization.
3. Allows public schools to assign CPR training as homework to satisfy CPR training requirements if completion of the homework is verified by a teacher or parent.
4. Permits school administrators to excuse students with a physical, mental or emotional disability.
5. Permits school districts and charter schools to use any of the following persons to provide CPR training:
 - a. Emergency medical technicians
 - b. Paramedics
 - c. Fire department personnel
 - d. Police officers
 - e. Representatives from the American Heart Association
 - f. Representatives from the American Red Cross
 - g. Teachers
 - h. Other school employees or similarly qualified persons
6. Allows contributions to support CPR training programs to qualify for the Public School Tax Credit.
7. Makes technical and conforming changes.

CURRENT LAW

[A.R.S. § 15-718.01](#) allows public schools to provide CPR training to students in grades 7-12. Schools that provide CPR training must use the most current training developed by a nationally recognized nonprofit organization based on the current national evidence-based emergency cardiovascular care guidelines for CPR. CPR training must be instructed by a certified CPR trainer if the instruction results in CPR certification. Public schools that provide CPR training are required to allow students to opt-out if the student has already received CPR training or by a parent's request.

[A.R.S. § 43-1089.01](#) establishes the Public School Tax Credit and allows a taxpayer to receive a dollar for dollar tax credit for donating monies to a public school for standardized testing, career and technical education industry certification assessment, extracurricular activities or character education programs. The Public School

Tax Credit allows an individual to receive up to \$200 tax credit, or a married couple filing a joint return to receive up to \$400 credit.



HOUSE OF REPRESENTATIVES

HB 2017

signs; early voting; removal

Prime Sponsor: Representative Stevens, LD 14

DP Committee on Elections

X Caucus and COW

House Engrossed

OVERVIEW

HB 2017 prohibits tampering with any political sign or printed materials and establishes an earlier date for the lawful display of political signs.

PROVISIONS

1. Prescribes a Class 2 misdemeanor ([up to four months in jail, fine of \\$750 plus surcharges](#)) for knowingly removing, altering, defacing or covering any political sign, mailer, handout, flyer or other printed material rather than limiting it to those of any candidate for public office.
2. Modifies the timeframe for when it is a criminal offense to tamper with political signs or printed materials from 45 to 86 days before the primary election date.
3. Increases the timeframe, from 60 to 86 days before an election, in which municipalities and counties are prohibited from removing with any political sign if specified requirements are met.
4. Defines *political sign*.
5. Makes technical changes.

CURRENT LAW

It is a Class 2 misdemeanor for any person to knowingly remove, alter, deface or cover a candidate's political signs, mailers, handouts, flyers or other printed materials that are delivered by hand to a residence beginning 45 days before the primary election and ending 7 days after the general election. Candidates and their agents may remove their political signs at any time. Private property owners are also exempt from penalties if they remove political signs from their own property. Municipalities and counties are authorized to immediately relocate political signs if it is deemed that the placement constitutes an emergency or if placed 60 days before the primary election or left 15 days after the general election ([A.R.S. § 16-1019](#)).



HOUSE OF REPRESENTATIVES

HB 2023

delivery; early ballots; limitation

Prime Sponsor: Representative Ugenti-Rita, LD 23

DP Committee on Elections

X Caucus and COW

House Engrossed

OVERVIEW

HB 2023 prohibits the collection of voted or unvoted early ballots from another person.

PROVISIONS

1. Prescribes a Class 6 felony ([presumptive 1 year of incarceration, fine up to \\$150,000 plus surcharges](#)) for knowingly collecting voted or unvoted ballots from another person.
2. Exempts:
 - a. a voter's family member, household member or caregiver;
 - b. an election official, a US postal worker or any other person allowed by law to transmit mail if engaged in official duties; and
 - c. the adoption and use of an acreage system of voting by a special taxing district.
3. Defines *caregiver*, *collects*, *family member* and *household member*.
4. Makes technical changes.

CURRENT LAW

All elections in Arizona must provide for early voting and any qualified elector may vote by early ballot ([A.R.S. § 16-541](#)). The early ballot, together with the signed affidavit, must be enclosed in the self-addressed envelope and delivered or mailed to the county recorder or deposited by the voter or the voter's agent at any polling place in the county by 7:00 p.m. on Election Day ([A.R.S. § 16-548](#)). A person who knowingly collects voted or unvoted ballots and does not turn those ballots in to an election official, the US postal service or any other entity permitted by law to transmit post is guilty of a Class 5 felony ([presumptive 1 ½ years of incarceration, fine up to \\$150,000 plus surcharges](#)) ([A.R.S. § 16-1005](#)).



HOUSE OF REPRESENTATIVES

HB 2049

municipal, precinct office; online signatures

Prime Sponsor: Representative Stevens, LD 14

DP Committee on Elections

X Caucus and COW

House Engrossed

OVERVIEW

HB 2049 requires the Secretary of State (SOS) to provide an online system for the collection of nomination petition signatures beginning January 1, 2017.

PROVISIONS

1. Requires the SOS to provide a system through a secure internet portal for qualified electors to sign a nomination petition for candidates for city or town office and the office of precinct committeemen.
2. Requires the system to:
 - a. allow only eligible qualified electors to sign the nomination petition;
 - b. provide a method to verify the elector's identity; and
 - c. provide for the SOS to transmit those filings to the officer in charge of elections for the appropriate office.
3. Allows the candidate to choose to collect up to the minimum number of required nomination petition signatures electronically.
4. Becomes effective January 1, 2017.

CURRENT LAW

Nomination petition is defined as the form or forms used for obtaining the required number of signatures of qualified electors, circulated by or on behalf of the person wishing to become a candidate for a political office ([A.R.S. § 16-314](#)). The SOS is required to provide a system for qualified electors to sign a nomination petition for statewide and legislative candidates by way of a secure internet portal. The system must: 1) allow only those qualified electors who are eligible to sign the nomination petition; and 2) provide a method for the qualified elector's identity to be properly verified. Statewide and legislative candidates may choose to collect up to an amount equal to ½ of the number of required signatures by use of the online signature collection system ([A.R.S. § 16-316](#)). Each signer can sign only one nomination petition for the same office unless more than one candidate is to be elected to such office ([A.R.S. § 16-321](#)).



HOUSE OF REPRESENTATIVES

HB 2084

voter registration records; death records

Prime Sponsor: Representative Stevens, LD 14

DP Committee on Elections

X Caucus and COW

House Engrossed

OVERVIEW

Requires the Arizona Department of Health Services (DHS) to annually provide the Secretary of State (SOS) with access to the statewide system of death records for comparison against the Statewide Voter Registration Database (Database).

PROVISIONS

1. Requires DHS to annually provide the SOS with access to the statewide system of all records of all deaths.
2. Allows the SOS to compare the death records with the Database.
3. Makes technical changes.

CURRENT LAW

Each month DHS is required to transmit to the SOS all records of death of every resident 16 years of age and older reported to DHS within the preceding month without charge. The SOS must use the death records for the sole purpose of canceling the names of the deceased from the Database. The name of each deceased person must promptly be canceled from the Database and the SOS must notify the appropriate county recorder for cancelation of the name from the county's general register ([A.R.S. § 16-165](#)).



HOUSE OF REPRESENTATIVES

HB 2121

clean elections; voter education

Prime Sponsor: Representative Petersen, LD 12

DP Committee on Elections

X Caucus and COW

House Engrossed

OVERVIEW

HB 2121 authorizes the Citizens Clean Elections Commission (Commission) to spend monies on voter education.

PROVISIONS

1. Allows the Commission, as part of their voter education functions, to spend monies on any of the following:
 - a. publish federal, state and county candidate statements in the Commission Voter Education Guide (Guide);
 - b. engage in voter education of the judicial performance evaluations and reports; and
 - c. engage in voter education of statewide ballot measures.
2. Contains a Proposition 105 Clause.
3. Makes technical changes.

CURRENT LAW

The Commission consists of five members, no more than two of whom are members of the same political party or residents of the same county ([A.R.S. § 16-955](#)). The Commission is required to publish and deliver a Guide to every household that contains a registered voter prior to each primary and general election. The Guide includes a space of predefined size for a message chosen by each candidate for every statewide and legislative office, without regard to whether the candidate is a participating or nonparticipating candidate. If a message is not submitted by a candidate, the listing is required to include "no statement submitted" ([A.R.S. § 16-956](#)).

The Supreme Court is required to: 1) adopt and administer a process established by court rules for evaluating judicial performance for all justices and judges who file a declaration to be retained in office; and 2) disseminate the evaluation reports to voters ([Arizona Constitution, Article VI § 42](#)).



HOUSE OF REPRESENTATIVES

HB 2456

national popular vote; interstate agreement

Prime Sponsor: Representative Mesnard, LD 17

DP Committee on Elections

X Caucus and COW

House Engrossed

OVERVIEW

HB 2456 joins an interstate agreement to elect the President by national popular vote.

PROVISIONS

1. Enters Arizona into an agreement among the states, with all other jurisdictions legally joining, to elect the President by national popular vote.
2. Requires each member state to conduct a statewide popular election for President and Vice President of the U.S.
3. Allows any state and the District of Columbia to become a member through enacting this agreement.
4. Requires the chief election official of each member state to:
 - a. determine the number of votes for each presidential slate;
 - b. add the votes together to produce a “national popular vote total” for each presidential slate;
 - c. designate the presidential slate with the largest national popular vote as the “national popular vote winner”;
 - d. treat an official statement containing the number of popular votes for each presidential slate as a final determination conclusive as to the counting of electoral votes by Congress; and
 - e. immediately release to the public all vote counts or statements of votes as they are determined or obtained.
5. Requires the presidential elector certifying official of each member state to:
 - a. certify the appointment of the elector slate nominated in association with the national popular vote winner;
 - b. certify, in the event of a tie for the national popular vote winner, the appointment of the elector slate nomination with the presidential slate receiving the largest number of popular votes.
6. Declares that the presidential candidate designated as the national popular vote winner has the power to nominate the presidential electors for that state if the number of presidential electors nominated is less than or greater than that state’s number of electoral votes.
 - a. requires certification of the nominees appointment by the state’s presidential elector certifying official.
7. Requires each member state to:
 - a. make a final determination of the number of popular votes cast for each presidential slate; and
 - b. communicate an official statement of determination within 24 hours to the chief official of other member states.
8. Stipulates that this article governs the appointment of presidential electors in any year this agreement is, on July 20, in effect in states cumulatively possessing a majority of the electoral votes.
9. Provides that the agreement takes effect when states cumulatively possessing a majority of the electoral votes have enacted this agreement in substantially the same form and the enactments have taken effect in each state.
10. Allows the withdrawal of member states from the agreement, except that a withdrawal occurring six months or less before the end of a President’s term does not become effective until a President and Vice President has qualified to serve the next term.
11. Requires the member’s state chief executive to promptly notify all other states when:
 - a. this agreement has been enacted and taken effect;
 - b. the member state has withdrawn from this agreement; and

c. this agreement takes effect generally.

12. Terminates this agreement if the Electoral College is abolished.

13. Declares that if any provision of this agreement is held invalid, the remaining provisions are not affected.

14. Defines *chief election official*, *chief executive*, *elector slate*, *presidential elector*, *presidential elector certifying official*, *presidential slate*, *state* and *statewide popular election*.

CURRENT LAW

Each state is required to appoint, in such manner as the Legislature directs, a number of electors, equal to the whole number of Senators and Representatives to which the state may be entitled in the Congress ([U.S. Constitution, Article II, Section I, Clause II](#)).

The chairman of the state committee of a political party which is qualified for representation on an official party ballot at the primary election and accorded a column on the general election ballot is required to: 1) appoint candidates for the office of presidential elector equal to the number of U.S. Senators and Representatives in Congress for Arizona; 2) and file, for each candidate, a nomination paper and affidavit with the Secretary of State ([A.R.S. § 16-344](#)).

ADDITIONAL INFORMATION

Arizona has 11 electoral votes.



HOUSE OF REPRESENTATIVES

HB 2104

ASRS; retention of credited service

Prime Sponsor: Representative Lovas, LD 22

DP Committee on Government and Higher Education

X Caucus and COW

House Engrossed

OVERVIEW

HB 2104 is an emergency measure that provides for the retention of credited service for certain members of the Arizona State Retirement System (ASRS).

PROVISIONS

1. Stipulates that an employee in a position that was exempt from ASRS membership retains credited service for the period of employment that the employer remitted ASRS contributions on the employees' behalf.
2. Contains an emergency clause.

CURRENT LAW

ASRS membership includes the State of Arizona, the three state universities, community college districts, school districts and charter schools, all 15 counties, most cities and towns, and a variety of special districts. [Laws 2014, Chapter 44](#) eliminated the requirement that ASRS members must be covered under a Social Security 218 Agreement and allowed them to remain in ASRS but with credited service commencing July 24, 2014. A Social Security 218 Agreement is a voluntary agreement between the state and the Social Security Administration to provide Social Security and Medicare Hospital Insurance (HI) or Medicare HI-only coverage for state and local government employees ([42 U.S.C. 418](#)). *Credited service* is defined as the number of years standing to the member's credit on the books of ASRS during which the member made the required contributions ([A.R.S. § 38-711](#)).



HOUSE OF REPRESENTATIVES

HB 2447

business entities; database; posting; requirements

Prime Sponsor: Representative Montenegro, LD 13

DP Committee on Government and Higher Education

X Caucus and COW

House Engrossed

OVERVIEW

HB 2447 requires the Arizona Corporation Commission (Commission) to establish and maintain an online database for the filing of certain business documents, beginning January 1, 2017.

PROVISIONS

1. Requires the Commission to establish and maintain a database for the filing of certain documents.
2. Limits the database to the inclusion of documents filed for an entity with a known place of business located in a county with a population of greater than 800,000 persons.
3. Allows the Commission to input information regarding approval of the filings into the database within 60 days rather than publishing the information in a newspaper of general circulation in the county of the known place of business for three consecutive publications.
4. Requires the Commission to post the database on its website to allow the public to search for business information, including an entity's name, approval date and county of known place of business.
5. Stipulates the information must be maintained in the database for at least 90 days.
6. Makes technical and conforming changes.
7. Becomes effective on January 1, 2017.

CURRENT LAW

[Article 15](#) of the Arizona Constitution establishes the Commission. The Corporations Division approves all articles of incorporation for Arizona businesses and the Corporate Filings Section approves and processes all filings directly related to articles of incorporation and organization. The Corporate Filings Section also determines availability of corporate names, processes applications filed by foreign corporations seeking authority to transact business in Arizona and certifies copies of any and all corporate documents on file for introduction into court and private business transactions. The Commission is required to [publish](#) approval of certain filings within 60 days in a newspaper of general circulation in the county of the known place of business for three consecutive publications; an affidavit evidencing the publication may be filed.

ADDITIONAL INFORMATION

According to the [Fiscal Note](#), the Commission can create the database with existing staff resources.

Counties with a population greater than 800,000 persons include: 1) Maricopa; and 2) Pima.



HOUSE OF REPRESENTATIVES

HB 2440

municipal improvement districts; formation election
Prime Sponsor: Representative Petersen, LD 12

DP Committee on Government and Higher Education

W/D Committee on Commerce

X Caucus and COW

House Engrossed

OVERVIEW

HB 2440 requires the formation of a Municipal Improvement District (District) to be submitted to qualified landowners and electors.

PROVISIONS

1. Requires the governing body of a municipality to submit, after the final resolution of any protests made, the formation of a District to an election of:
 - a. qualified landowners in the district and other qualified landowners under the acreage system of voting; and
 - b. other qualified electors who reside within the boundaries of the proposed district.
2. Specifies each landowner has the number of votes, or portions of votes equal to the number of acres or portions of acres, rounded upward to the nearest 500th of an acre.
3. Allows the formation of the District upon approval of a majority of the landowners and qualified electors voting on the matter.
4. Contains a retroactive date of January 1, 2016.
5. Makes conforming changes.

CURRENT LAW

The governing body of a municipality is required to pass a resolution or an ordinance declaring its intention to order the formation of a District and include: 1) a description of the improvement; 2) the land necessary; and 3) the boundaries of the district ([A.R.S. § 48-505](#)). When the proposed improvement, in the opinion of the governing body, is of more than local or ordinary public benefit, it may order the expense of the improvement chargeable upon another District. The governing body of a municipality is prohibited from assessing the costs of an improvement for general public benefit against land in a District. If a portion of the expense of an improvement is for general public benefit, the city or town must assess the District only for the portion of the expense that benefits the property in the District ([A.R.S. § 48-576](#)).

The street superintendent is required to make the assessment in writing and describe each lot, piece or parcel of land assessed for the improvement. The assessment must show the total sum to be raised, the items of the total sum and the amount assessed for each lot, piece or parcel of land ([A.R.S. § 48-520](#)).



HOUSE OF REPRESENTATIVES

HB 2443

metal dealer licensure; local authority

Prime Sponsor: Representative Livingston, LD 22

DPA Committee on Government and Higher Education

X Caucus and COW

House Engrossed

OVERVIEW

HB 2443 asserts that the state preemption regulating auxiliary containers does not affect a city's, town's or county's power to enforce laws relating to business licensing of scrap metal dealers (dealers).

PROVISIONS

1. Stipulates the prohibition on the regulation of auxiliary containers by a city, town or county does not affect a city's, town's or county's power to enforce laws relating to business licensing of dealers.
2. Makes technical and conforming changes.

AMENDMENTS IN GOVERNMENT AND HIGHER EDUCATION COMMITTEE

Provides a conditional enactment if [HB 2131](#) becomes law as the bill rennumbers sections included in this bill.

CURRENT LAW

Statute regulates dealers and prohibits counties, cities and towns from enacting or enforcing ordinances, rules or regulations that conflict with the statutory provisions ([A.R.S. § 44-1645](#)). The Legislature has determined that dealer registration is a matter of statewide concern, and therefore the power of registration is preempted by the state. However, statutory dealer requirements do not affect a city's, town's or county's authority to enforce business licensing laws. Dealer requirements do not apply to a city's, town's or county's system for licensing a dealer if the licensing system includes background checks or identification and fingerprinting of the owners of the dealer. A dealer's license that is current and in good standing with a city's, town's or county's licensing system before September 13, 2013, is in compliance with that licensing system and does not need to reapply unless there is an event or circumstance that requires an amendment or filing pursuant to the city's, town's or county's licensing system's requirements ([A.R.S. § 44-1648](#)).

Scrap metal dealer means each person or business entity, except an automotive recycler, that is engaged in the business of purchasing, trading, bartering or otherwise receiving secondhand or castoff material of any kind which is commonly known as scrap metal ([A.R.S. § 44-1641](#)). *Auxiliary containers* include beverage cans, bottles and containers made out of aluminum or similar materials used for transporting merchandise to or from a business or multifamily housing property ([A.R.S. §§ 9-500.36](#) and [11-269.14](#)).



HOUSE OF REPRESENTATIVES

HB 2444

auxiliary containers; scrap metal dealers

Prime Sponsor: Representative Livingston, LD 22

DP Committee on Government and Higher Education

X Caucus and COW

House Engrossed

OVERVIEW

HB 2444 asserts that the state preemption regulating auxiliary containers does not affect the regulation of scrap metal dealers (dealers) as prescribed in statute.

PROVISIONS

1. Declares the state preemption regulating the sale, use or disposition of auxiliary containers does not affect the regulation of dealers, including the authority of a city, town or county to license dealers and enforce laws relating to business licensing.
2. Makes technical and conforming changes.

CURRENT LAW

Statute regulates dealers and prohibits counties, cities and towns from enacting or enforcing ordinances, rules or regulations that conflict with the statutory provisions ([A.R.S. § 44-1645](#)). The Legislature has determined that dealer registration is a matter of statewide concern, and therefore the power of registration is preempted by the state. However, statutory dealer requirements do not affect a city's, town's or county's authority to enforce business licensing laws. Dealer requirements do not apply to a city's, town's or county's system for licensing a dealer if the licensing system includes background checks or identification and fingerprinting of the owners of the dealer. A dealer's license that is current and in good standing with a city's, town's or county's licensing system before September 13, 2013, is in compliance with that licensing system and does not need to reapply unless there is an event or circumstance that requires an amendment or filing pursuant to the city's, town's or county's licensing system's requirements ([A.R.S. § 44-1648](#)).

Scrap metal dealer means each person or business entity, except an automotive recycler, that is engaged in the business of purchasing, trading, bartering or otherwise receiving secondhand or castoff material of any kind which is commonly known as scrap metal ([A.R.S. § 44-1641](#)). *Auxiliary containers* include beverage cans, bottles and containers made out of aluminum or similar materials used for transporting merchandise to or from a business or multifamily housing property (A.R.S. §§ [9-500.36](#) and [11-269.14](#))



HOUSE OF REPRESENTATIVES

HB 2265

epinephrine auto-injectors

Prime Sponsor: Representative Cobb, et al., LD 5

DP Committee on Health

X Caucus and COW

House Engrossed

OVERVIEW

HB 2265 permits an authorized entity to acquire and stock a supply of epinephrine auto-injectors that have been prescribed by a medical practitioner.

PROVISIONS

1. Allows medical practitioners to prescribe epinephrine auto-injectors in the name of an authorized entity and allows pharmacists and practitioners to dispense epinephrine auto-injectors.
2. Makes prescriptions valid for two years.
3. Permits an authorized entity to acquire, stock and store a supply of epinephrine auto-injectors in a location that is readily accessible in case of an emergency.
4. Designates employees or agents of an authorized entity who have completed required training to be responsible for the storage, maintenance, control and general oversight of epinephrine auto-injectors acquired by the authorized entity.
5. Specifies that an employee or agent of an authorized entity who has completed the required training may provide and administer an epinephrine auto-injector to any person whom they believe in good faith is experiencing anaphylaxis regardless of whether the person has a prescription or has been previously diagnosed with an allergy.
6. Requires any person providing or administering an epinephrine auto-injector complete initial anaphylaxis training and a training every two years thereafter.
7. Requires an epinephrine auto-injection training program to be conducted by a nationally recognized organization that is experienced in training laypersons in emergency health treatment or by any person approved by the Arizona Department of Health Services (ADHS).
8. Allows for training to be conducted online or in person and must cover the following:
 - a. Recognizing signs and symptoms of severe allergic reaction, including anaphylaxis;
 - b. Standards and procedures for the storage and administration of an epinephrine auto-injector; and
 - c. Emergency follow-up procedures.
9. Specifies that the entity conducting the required training must issue an approved certificate to each person who successfully completes the program.
10. Clarifies that the administration of epinephrine auto-injectors is not the practice of medicine or any other profession that requires a license.
11. States that a Practitioner prescribing epinephrine auto-injectors in the name of an authorized entity are immune from civil liability with respect to all actions or omissions taken based on good faith, except in cases of gross negligence, willful misconduct or intentional wrongdoing.
12. Clarifies that the immunity from civil liability does not affect a manufacturer's product liability regarding the design, manufacturing or instructions for use of an epinephrine auto-injector.
13. Requires that an authorized entity who possesses and makes available epinephrine auto-injectors must submit a report of each incident that occurs on the premise to ADHS.
14. Defines *administer*, *authorized entity*, *epinephrine auto-injector* and *practitioner*.

15. Makes technical and conforming changes.

CURRENT LAW

A.R.S. § 15-341 requires school district governing boards to prescribe and enforce policies and procedures that allow students diagnosed with anaphylaxis to carry and self-administer emergency medications, including auto-injectable epinephrine, while at school and school-sponsored activities. Policies must require that the student notify the nurse or designated staff of the use of the medication as soon as possible.

A.R.S. § 15-157 allows a trained school employee to administer, or assist in the administration of auto-injectable epinephrine if they are acting in good faith. Statute also provides immunity from civil liability to medical professionals that prescribe auto-injector epinephrine to a school or a charter school.



HOUSE OF REPRESENTATIVES

HB 2310

biological products; prescription orders

Prime Sponsor: Representative Cobb, et al., LD 5

DP Committee on Health

X Caucus and COW

House Engrossed

OVERVIEW

HB 2310 permits a pharmacist to substitute a biological product for a prescribed biological product when certain conditions are met.

PROVISIONS

1. Allows a pharmacist to substitute a biological product for a prescribed biological product only if all the following conditions are met:
 - a. The United States Food and Drug Administration (FDA) have determined the substituted product to be an interchangeable biological product.
 - b. The prescribing physician does not designate in writing or electronically that substitution is prohibited.
 - c. The pharmacy informs the patient or person presenting the prescription of the substitution.
 - d. Within five business days after dispensing a biological product, the dispensing pharmacist or their designee makes an entry of the specific product provided to the patient, including the name of the product and the manufacturer. The communication must be conveyed by making an entry that is electronically accessible to the prescriber through an interoperable electronic medical records system, an electronic prescribing technology, a pharmacy benefit management system or a pharmacy record. Entry into an electronic records system as described is presumed to provide notice to the prescriber otherwise, the pharmacist must communicate the biological product dispensed to the prescriber using fax, telephone, electronic transmission or other prevailing means. Communication is not required if:
 - i. There is no interchangeable biological product approved by the FDA for the prescribed product.
 - ii. A refill prescription is not changed from the product dispensed on the prior filling of the prescription.
 - e. The pharmacy retains a record of the biological product dispensed.
2. Requires pharmacy staff to notify the person presenting the prescription of the price difference between the brand name drug or biological product prescribed and the generic drug or interchangeable biological product when the medical practitioner does not indicate intent to prevent substitution with a generic equivalent drug or interchangeable biological product.
3. Includes labeling requirements when a biological product or an interchangeable biological product is used.
4. Prohibits an employer or agent of an employer of a pharmacist from requiring the pharmacist to dispense an interchangeable biological product or to substitute an interchangeable biological product for a biological product against the professional judgment of the pharmacist or the order of the prescriber.
5. Restricts a pharmacist's ability to make a substitution unless the manufacturer or distributor of the interchangeable biological product has shown that:
 - a. All products dispensed have an expiration date on the original package.
 - b. The manufacturer or distributor maintains recall and return capabilities for unsafe or defective biological products.
6. Requires the Arizona State Board of Pharmacy to maintain on its website a link to the current list of each biological product determined by the FDA to be an interchangeable product.
7. Includes interchangeable biological products in the worker's compensation statute (A.R.S. § 23-908).
8. Defines *biological product* and *interchangeable biological product*.

CURRENT LAW

A.R.S. § 32-1963.01 provides that if a medical practitioner prescribes a brand name drug and does not indicate an intent to prevent substitution, a pharmacist is permitted to fill the prescription with a generic drug. Pharmacy staff must notify the person presenting the prescription of the cost differential between a name brand and generic drug and in addition statute outlines labeling instructions.

A prescription must be dispensed as written only if the prescriber writes or clearly displays “DAW”, “dispense as written”, “do not substitute”, “medically necessary” or any statement by the prescriber that clearly indicates an intent to prevent substitution. An out-of-state prescription must be dispensed as written only if the prescriber clearly writes or clearly displays “do not substitute”, “dispense as written”, “medically necessary” or any statement by the prescriber that clearly indicates intent to prevent substitution.



HOUSE OF REPRESENTATIVES

HB 2355

opioid antagonists; prescription; dispensing; administration
Prime Sponsor: Representative Carter, et al., LD 15

DPA Committee on Health

X Caucus and COW

House Engrossed

OVERVIEW

HB 2355 allows a pharmacist to dispense naloxone hydrochloride (Naloxone) without a prescription to a person at risk of experiencing an opioid-related overdose or to a family member in a position to assist that person. Allows a physician to prescribe and dispense Naloxone to a person at risk, a family member in a position to assist a person at risk or a community organization that provides services to persons addicted to opioids that may be in a position to assist.

PROVISIONS

1. Permits a pharmacist to dispense Naloxone or any other opioid antagonist without a prescription to a person who is at risk of experiencing an opioid-related overdose or to a family member who is in a position to assist that person.
2. Requires a pharmacist who dispenses Naloxone or any other opioid antagonist to do the following:
 - a. Document the dispensing consistent with the Pharmacy Board rules; and
 - b. Instruct the individual to whom the opioid antagonist is dispensed to summon emergency services as soon as practicable either before or after administering the drug.
3. Clarifies that the authority of a pharmacist to fill or refill a prescription for Naloxone will not be affected.
4. Specifies that a pharmacist who dispenses an opioid antagonist is immune from professional liability and criminal prosecution for any decision, act, omission or injury that results if the pharmacist acts with reasonable care and in good faith, except in cases of wanton or willful neglect.
5. Allows for a licensed physician to prescribe or dispense Naloxone or any other opioid antagonist to a person who is at risk of experiencing an opioid-related overdose, to a family member who is in a position to assist that person or to a community organization that provides services to persons addicted to opioids and that may be in a position to assist a person who is at risk of experiencing an opioid-related overdose.
6. Specifies that a physician who prescribes or dispenses an opioid antagonist will be immune from professional liability and criminal prosecution for any decision, act, omission or injury that results if the physician acts with reasonable care and in good faith, except in cases of wanton or willful neglect.
7. Allows a person to administer an opioid antagonist that is dispensed by a pharmacist or prescribed or dispensed by a physician to a person who is experiencing an opioid-related overdose.
8. Specifies that a person who administers an opioid antagonist in good faith and without compensation to a person who is experiencing an opioid-related overdose is not liable for any civil or other damages as the result of any act or omission by the person rendering care or as the result of any act or failure to act to arrange for further medical treatment or care for the person experiencing the overdose, unless the person rendering the care is guilty of gross negligence.
9. Makes technical changes.

AMENDMENTS

COMMITTEE ON HEALTH

1. Adds that a licensed nurse practitioner or any other health professional who has prescribing authority and is acting within their scope of practice, may prescribe or dispense Naloxone to a person at risk of experiencing an opioid-related overdose, a family member of that person or a community organization.
2. Permits Naloxone to be prescribed or dispensed by a licensed physician, nurse practitioner or other health provider with prescribing authority, to any other person in a position to assist a person who is at risk of experiencing an opioid related overdose.

3. Makes changes to the immunity language by replacing wanton or willful neglect with gross negligence, willful misconduct or intentional wrong doing.
4. Provides that a physician who prescribes or dispenses Naloxone or any other opioid antagonist must instruct the individual to whom the opioid antagonist is dispensed, to summon emergency services as soon as practicable either before or after administering the opioid antagonist.

CURRENT LAW

A.R.S. §36-2228 states that an emergency medical care technician or peace officer who is trained in the administration of Naloxone or any other opiate antagonist that is approved by the United States Food and Drug administration and designated by the director of the Arizona Department of Health Services may administer to a person who they believe are suffering from an opiate-related drug overdose.

Licensed physicians, licensed nurse practitioners, emergency medical care technicians and peace officers who administer Naloxone or any other opiate antagonist are immune from professional liability and criminal prosecution for any decision made, act, omission or injury that results from that act if those persons act with reasonable care and in good faith, except in cases of wanton or willful neglect. The statute does not create a duty to act or a standard of care for peace officers to administer an opiate antagonist.

The director shall designate opiate antagonists that may be used based on an evaluation of the opiate antagonist's safety and efficacy.



HOUSE OF REPRESENTATIVES

HCM 2001

health insurance tax; repeal

Prime Sponsor: Representative Leach, et al., LD 11

DP Committee on Health

X Caucus and COW

House Engrossed

OVERVIEW

HCM 2001 urges the United States Congress to repeal the health insurance tax.

PROVISIONS

1. Urges the United States Congress to repeal the health insurance tax, sections 9010 and 10905 of the Patient Protection and Affordable Care Act and section 1406 of the Health Care and Education Reconciliation Act of 2010 in order to make health care more affordable to individuals, working families and businesses.
2. Asks the Arizona Secretary of State to transmit copies of this memorial to the following individuals:
 - a. The President of the United States.
 - b. The Speaker of the United States House of Representatives.
 - c. The President of the United States Senate.
 - d. Each member of Congress from the State of Arizona.

CURRENT LAW

Not currently addressed in statute.

ADDITIONAL INFORMATION

Sections 9010 and 10905 of the Patient Protection and Affordable Care Act (P.L. 111-148) encompasses the imposition and modification of the annual fee on health insurance providers and section 1406 of the Health Care and Education Reconciliation Act of 2010 (P.L. 111-152) focuses on health insurance providers.



HOUSE OF REPRESENTATIVES

HB 2144

genetic testing; informed consent

Prime Sponsor: Representative Coleman, et al., LD 16

DP Committee on Insurance

X Caucus and COW

House Engrossed

OVERVIEW

HB 2144 permits a person who is authorized to consent for a genetic test to release the results of said test.

PROVISIONS

1. Allows a person who is authorized to consent for a genetic test to release the results of said test.
2. Requires a person to receive the appropriate written informed consent prior to ordering a genetic test.
3. Makes technical changes.

CURRENT LAW

Pursuant to [A.R.S. § 20-448.02](#), a person is prohibited from requiring the performance of or performing a genetic test without first receiving written consent from the test subject. If the test subject lacks the ability to consent, the written consent must be obtained from an individual who is authorized to consent for the test subject. Written consent must be in a form as prescribed by the director of the Department of Insurance.

Additionally, the results of a genetic test performed are privileged and confidential and may not be released without the express consent of the test subject.



HOUSE OF REPRESENTATIVES

HB 2238

insurance; identity theft group policies

Prime Sponsor: Representative Fann, LD 1

DP Committee on Insurance

X Caucus and COW

House Engrossed

OVERVIEW

HB 2238 establishes parameters for Identity Theft Group Insurance Policies (ITGIP).

PROVISIONS

ITGIP: Eligible Groups

1. Allows an insurer to sell ITGIP in this state, which must cover losses and expenses incurred due to a stolen identity event.
2. Permits an insurer to sell ITGIP to the following:
 - a. An employer or employer's trustee.
 - b. A labor union or labor union's trustee.
 - c. A trustee of a trust established by multiple employers or labor unions.
 - d. A sponsor.
 - e. An association or an association's trustees where members have the same occupation and have been in existence for at least two years.
 - f. A business that sells services related to stolen identity events.
 - g. A business or association that possesses personal identification information.
 - h. Any other entity that the director of the Department of Insurance determines is engaged in a common enterprise or has an economic or social relationship and the issuance of the policy would not be contrary to public interests.
3. States the eligible groups must consist of natural persons and may include an immediate family and household member.
4. Directs an insurer to treat all eligible groups of the same class in a like manner, with exception to businesses that sell products related to stolen identity events.

ITGIP: Premium and Cancellation

5. States the group policyholder may pay the premium for ITGIP from monies contributed:
 - a. Wholly by the group policyholder,
 - b. Wholly by the group members, or
 - c. Jointly by the group policyholder and members.
 - i. Requires the policyholder to pay the premium for policies for businesses that possess personal identification information.
6. Enumerates the cancellation, nonrenewal, or conditional renewal of coverage requirements.
7. Authorizes a group policyholder to cancel a policy for any reason provided the insurer and each affected group member receives a 30 days' written notice.
8. Stipulates a group policyholder is not required to give a notice if substantially similar coverage is obtained from another insurer without a lapse of coverage.
9. Stipulates a group member that sustains an identity theft loss prior to the effective date of the cancellation, nonrenewal, conditional renewal of a policy or certificate, the loss is covered under the policy.

Miscellaneous

10. Defines pertinent terms.
11. Exempts the Department of Insurance from rulemaking for one year after the enactment date.



HOUSE OF REPRESENTATIVES

HB 2015

publicity pamphlets; counties; municipalities

Prime Sponsor: Representative Stevens, LD 14

DPA Committee on Judiciary

X Caucus and COW

House Engrossed

OVERVIEW

HB 2015 prohibits the mailing of early ballots in local initiative or referendum elections if the publicity pamphlet has not yet been mailed and prescribes penalties for contractors who mail pamphlets after early balloting begins.

PROVISIONS

1. Prohibits an election officer from mailing early ballots for an initiative or referendum election in a county, city or town until at least one day after the last day that the publicity pamphlets are mailed.
2. Requires any contract for publicity pamphlet publication or mailing to contain a penalty for each day of mailing that occurs either on or after the earliest day that early ballots are received by voters.
 - a. Prescribes a penalty of \$1 per day, per each household with a registered voter.
 - b. Monies are paid to the office of the elections officer.
3. Contains a delayed effective date of January 1, 2017.
4. Makes technical, clarifying and conforming changes.

AMENDMENTS IN JUDICIARY COMMITTEE

Removes the prohibition on mailing early ballots until at least one day after the last day that the publicity pamphlets are mailed.

CURRENT LAW

[A.R.S. § 19-141](#) outlines the process for initiatives and referendums in counties, cities and towns. Subsection B requires the city or town clerk or the county election officer to distribute publicity pamphlets to every household where a registered voter resides. This must be accomplished before the earliest date that registered voters may receive an early ballot. If the pamphlet is not mailed before that date, the election officer must include with the early ballot information on when the publicity pamphlet will be mailed and where the pamphlets may be accessed or viewed. This section prohibits the mailing of pamphlets less than 10 days before the election. General publicity pamphlet procedures are provided in [A.R.S. § 19-123](#).



HOUSE OF REPRESENTATIVES

HB 2031

liquor purchases; other state identification

Prime Sponsor: Representative Borrelli, LD 5

DP Committee on Judiciary

X Caucus and COW

House Engrossed

OVERVIEW

HB 2031 modifies the list of acceptable identification required for the sale of alcohol by removing the requirement for out-of-state driver and nonoperating licenses to be reissued after a person turns 21 years of age.

PROVISIONS

1. Outlines valid forms of identification for purposes of selling, purchasing or serving alcohol as follows:
 - a. An unexpired driver or nonoperating license issued by the State of Arizona that either:
 - i. Was reissued after the person's 21st birthday;
 - ii. Is within 30 days of the person's birthday
 - b. An unexpired driver's license issued by another state, the District of Columbia, a territory of the United States or Canada,
 - c. Identification issued by another state, the District of Columbia, a territory of the United States or Canada that is substantially parallel to a nonoperating license issued by the State of Arizona.
2. Makes conforming changes.

CURRENT LAW

[A.R.S. § 4-241](#) details the proper identification required to purchase alcohol in Arizona as follows: an unexpired driver or nonoperating license from any state, the District of Columbia, any territory owned by the United States or Canada that has been reissued on or after the person's 21st birthday, unless it is within 30 days of the person's birthday. [A.R.S. § 4-246](#) states that a person violating any provision in this title is guilty of a Class 2 misdemeanor (up to four months in jail, fine of \$750 plus surcharges).

[A.R.S. § 28-3166](#) requires a driver license that has been issued prior to the individual's 21st birthday to be marked by a color, code or design to immediately distinguish it from other licenses. Additionally, the license of a person must also be marked with the year in which that person will turn 21.



HOUSE OF REPRESENTATIVES

HB 2033

post-9/11 veteran education relief fund

Prime Sponsor: Representative Borrelli, et al., LD 5

DP Committee on Military Affairs and Public Safety

X Caucus and COW

House Engrossed

OVERVIEW

HB 2033 establishes the Post-9/11 Veteran Education Relief Fund (Fund) and the Post-9/11 Veteran Education Relief Advisory Committee (Committee).

PROVISIONS

Post-9/11 Veteran Education Relief Fund

1. Establishes the Fund to be administered by the Department of Veterans Services (DVS) and is comprised from private donations, grants, bequests and other monies.
2. Authorizes Fund monies to be used to award financial assistance for the cost of tuition to a qualified military veteran, to any university that is under the jurisdiction of the Arizona Board of Regents (ABOR) and is a veteran supportive campus.
3. Requires the state treasurer to invest and divest Fund monies and credits any monies earned from investment to the Fund.
4. Stipulates that Fund monies are continuously appropriated to DVS.
5. Requires Fund monies to be administered based on financial need and paid directly to the university by the Committee.

Post-9/11 Veteran Education Relief Advisory Committee

6. Establishes the nine-member Committee consisting of:
 - a. The Director of DVS (Director) or the Director's designee;
 - b. One member recommended by ABOR;
 - c. One member who holds a certificate from the State Board of Education and has high school teaching experience or one public member who has teaching experience at a postsecondary institution;
 - d. One member who is an active, reserve or retired member of the uniformed services or national guard who has served as either a command career counselor or in an assignment that included oversight of training or education programs;
 - e. Two public members with experience in human resource management;
 - f. One member employed by a public or private school entity; and
 - g. Two members who are military members or have family who are military members.
7. Requires the Committee to: establish criteria for the use of Fund monies; establish and revise the application process; review and evaluate applications; and make any other necessary recommendations.
8. Requires the Committee to adopt rules that include a mechanism to publicize the availability of financial assistance and a procedure that allows funds awarded to a qualified military veteran be available upon reentry to a university, if they withdraw as a result of military activation.
9. Allows the Governor to appoint members based on recommendations by the Director, the Adjutant General, ABOR, and commanders of military bases or reserve centers in Arizona.
10. Limits appointed Committee members to two year terms that may be extended or renewed by the Governor at the recommendation of the Director.
11. Specifies that the first terms of four committee members end on January 1, 2017 and four committee members end on January 1, 2018.
12. Allows the Committee to appoint a chairman and meet in executive session to review and evaluate applications.

13. Terminates the Committee on July 1, 2024.

14. Defines *department*, *director*, *military member* and *qualified member*.

CURRENT LAW

Not currently addressed in statute.

ADDITIONAL INFORMATION

The Post-9/11 G.I. Bill (38 United States Code Sections 3301 through 3325) awards education and training benefits to individuals who served on active duty for 90 or more days after September, 10, 2015.



HOUSE OF REPRESENTATIVES

HB 2045

DHS; primitive camping areas; rules

Prime Sponsor: Representative Finchem, LD 11

DP Committee on Military Affairs and Public Safety

X Caucus and COW

House Engrossed

OVERVIEW

HB 2045 requires the Arizona Department of Health Services (DHS) to adopt rules regarding primitive camping and picnic grounds.

PROVISIONS

1. Requires DHS, by July 1, 2017, to adopt rules relating to primitive camping and picnic grounds, which does the following:
 - a. Defines primitive camping and picnic grounds; and
 - b. Provides case-by-case exemptions from rules regarding water, sewage and plumbing with the intent to allow access to remote settings with limited readily-accessible public infrastructure available.
2. Exempts DHS from statutory rulemaking requirements until July 1, 2017.
3. Specifies that DHS must provide public notice and an opportunity for public comment on proposed rules.
4. Contains a repeal date of from and after July 1, 2018.

CURRENT LAW

Not currently addressed in statute.

ADDITIONAL INFORMATION

[Title 9, Chapter 8, Article 6](#) of the Arizona Administrative Code contains DHS rules relating to campgrounds. DHS regulates any entity involved in the operating, maintaining or offering for public use any tract of land on which persons may camp or picnic.



HOUSE OF REPRESENTATIVES

HB 2165

peace officer memorial board; members

Prime Sponsor: Representative Borrelli, et al., LD 5

DP Committee on Military Affairs and Public Safety

X Caucus and COW

House Engrossed

OVERVIEW

HB 2165 allows various members of the Arizona Peace Officer's Memorial Board (POMB) to utilize a designee.

PROVISIONS

1. Allows the following POMB members to utilize a designee:
 - a. The Attorney General;
 - b. The Director of the Department of Public Safety;
 - c. The Director of the State Department of Corrections;
 - d. The Executive Director of the Arizona Criminal Justice Commission;
 - e. A county sheriff; and
 - f. A local police chief.
2. Makes technical changes.

CURRENT LAW

A.R.S. § 41-1829 establishes the POMB, which is comprised of the following members: the Attorney General; the Director of the Department of Public Safety; the Director of the State Department of Corrections; the Executive Director of the Arizona Criminal Justice Commission and; eleven other members including a county sheriff and a local police chief. The POMB is tasked with annually adding the names of fallen Arizona law enforcement members to the Peace Officer's Memorial (Memorial), providing for the maintenance of the Memorial, annually reporting to the Legislature on the Memorial's progress and making determinations concerning the eligibility of the children of fallen law enforcement officers to receive a college tuition waiver. Statute also establishes the Arizona Peace Officers Memorial Fund (Fund) and allows the POMB to solicit donations for the Fund and use Fund monies to pay for tuition waivers. The POMB repeals on July 1, 2019.



HOUSE OF REPRESENTATIVES

HB 2249

ADOT; authorized third parties
Prime Sponsor: Representative Gray, LD 21

DP Committee on Transportation & Infrastructure

X Caucus and COW

House Engrossed

OVERVIEW

HB 2249 requires any employee of an authorized third party with the Arizona Department of Transportation (ADOT) who has access to private records to submit to a criminal records check.

PROVISIONS

1. Requires an employee of an authorized third party with ADOT, who seeks authorization or certification and who has access to motor vehicle records, personal information or monies collected on behalf of the state, to provide a full set of fingerprints for a state and federal criminal records check.
2. Makes Technical Changes

CURRENT LAW

ADOT is permitted to enter into written agreements and authorize third parties to perform limited or specific functions, including: title and registration, motor carrier licensing and tax reporting, dealer licensing, and driver licensing (A.R.S. § 28-5101). The Director of ADOT may require authorized third parties or their employees to become certified to perform any functions that they have been authorized to perform (A.R.S. § 28-5102). Currently, any applicant, partner or stockholder who seeks authorization or certification and owns 20% or more of an entity must provide a full set of fingerprints and pay for the cost of a criminal records check (A.R.S. §28-5105).

ADDITIONAL INFORMATION

Arizona Administrative Code requires applicants for third-party authorization and certification to provide a full set of fingerprints for a criminal records check and stipulates that the applicant is responsible for the cost of fingerprinting and criminal records checks ([R17-7-201](#) and [R17-7-302](#)).



HOUSE OF REPRESENTATIVES

HB 2127

small property tax balance delinquency.

Prime Sponsor: Representative Mesnard, LD 17

DP Committee on Ways and Means

X Caucus and COW

House Engrossed

OVERVIEW

HB 2127 delays the date of delinquency for property taxes equaling \$100 or less from November 1 to December 31.

PROVISIONS

1. Extends the date of delinquency for property taxes equaling \$100 or less from November 1 to December 31.
2. Makes technical changes.

CURRENT LAW

A.R.S. § 42-18052 specifies the dates in which property tax payments are due and when they are delinquent. If a taxpayer owes \$100 or less in property taxes, the entire amount is due on October 1 of each year and is considered delinquent if not paid by November 1 at 5:00 P.M.



HOUSE OF REPRESENTATIVES

HB 2187

municipal codes; publication; online

Prime Sponsor: Representative Mitchell, LD 13

DP Committee on Ways and Means

X Caucus and COW

House Engrossed

OVERVIEW

HB 2187 allows municipal codes to be published online.

PROVISIONS

1. Extends the definition of *published* to also include electronic reproduction online.

CURRENT LAW

A.R.S. § 9-802 requires a municipality enacting the provisions of a code to publish the adopting ordinance in full. Municipal codes for the purposes of public record are *published* either through print, lithograph, multigraph, mimeograph or otherwise reproduced (A.R.S. § 9-801).